

DELEGATE WILLONER: No, it was an open meeting. Some meetings may have been closed.

DELEGATE JAMES (presiding): Delegate Pullen.

DELEGATE PULLEN: It was suggested to me that my question was not understood, and from the answer apparently it was not.

DELEGATE WILLONER: The mere fact that public funds are given to a private institution would not be a reason for it. Is that what you meant?

DELEGATE PULLEN: No, when MIT has eighty-three percent of its budget from the federal government and Johns Hopkins has sixty percent of its budget from the federal government, and practically every educational institution in this country has a large percentage of money from the government, and when Hopkins and other institutions get this kind of money, it seems to me it is quite an appropriate question.

DELEGATE WILLONER: I agree with you. This provision does not cover situations like Johns Hopkins or MIT. It goes to governmental agencies.

DELEGATE JAMES (presiding): Delegate Jett.

DELEGATE JETT: Would this apply to adoption records?

DELEGATE WILLONER: They are protected by statutes. Nothing would have to be done. But if it did apply to adoption records, then the legislature would have to protect those provisions. I am sure it is taken care of now.

As you well know, you seal the records by statute now. This would not be an issue because it is already taken care of.

DELEGATE JETT: Is it your statement that any and all records would be open to inspection unless protected by legislative action?

DELEGATE WILLONER: Yes, that is the intention, but it is bigger than that. The word "records" has a judicial history. It is limited by those matters that violate the public interest.

The word "records" constitute formal records, and it is limited by those matters. It is a balance between the public interest and the interest of the private citizen.

DELEGATE JETT: That would have to be litigated to find out whether it was against the public interest or not.

DELEGATE WILLONER: That is the law now, sir. This is not a change in the law as far as records are concerned.

DELEGATE JAMES (presiding): Delegate Raley.

DELEGATE RALEY: Mr. Willoner, suppose that in an executive session, say the Board of Public Works or the legislature, passed an extremely important emergency money measure to meet a critical problem, and in the meantime somebody filed an injunction against it.

Just what would happen then? Would the project be able to go into effect, or would it have to wait until the court ruled?

DELEGATE WILLONER: The only method of enforcement of this provision would be that unless otherwise provided by the legislature. For example, criminal penalties would be by way of mandamus or injunction to open up the records not by way of stopping the provision.

DELEGATE JAMES (presiding): Are there any further questions?

DELEGATE WILLONER: I would make it clear that the legislature could go further and provide for whatever penalties they wished to establish. In some states they have criminal penalties.

DELEGATE JAMES (presiding): Are there any further questions of Delegate Willoner?

*(There was no response.)*

If not, you can step down.

We are now going into controlled time, and the Chair recognizes Delegate Willoner for his portion of the controlled time.

Do you have the amendment prepared, Delegate Willoner?

DELEGATE WILLONER: Yes. I would like Amendment C.

DELEGATE JAMES (presiding): Amendment C will be Amendment No. 24. Have they been distributed?

The pages will distribute the amendment.

For what purpose does Delegate Ulrich rise?

DELEGATE ULRICH: A point of personal privilege.

I would like the Committee of the Whole to welcome 77 students from General MacArthur High School, with their teachers, Mr. Thatcher and Mr. Gross, and their